IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 913 (SS) of 2007

Smt. Anita Thakur,
W/o Sri Rajesh Kumar,
R/o Mohalla Chauhanan,
Jaspur, Tehsil – Jaspur,
District – Udham Singh Nagar. **…….Petitioner.**

Versus

1. State of Uttarakhand, through its Secretary, Vidyalaya Shiksha, Uttarakhand, Dehradun.
2. Additional Director of Education, Kumaon Mandal, Nainital.
3. District Education Officer (Basic), Udham Singh Nagar.
4. Additional District Education Officer (Basic), Udham Singh Nagar. **……..Respondents.**

Hon'ble M.M. Ghildiyal, J.

Heard Sri Jitendra Chaudhary, learned counsel for the petitioner and Sri Paresh Tripathi, learned counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has challenged order dated 04.06.2007 passed by Additional District Education Officer (Basic), Udham Singh Nagar by which attachment of the petitioner in Primary School, Shivrajpur, Jaspur, has been cancelled and she has been directed to join Primary School, Vangarh, Block – Bazpur.

The submission of the learned counsel for the petitioner is that in case, she is forced to join at Bazpur, she will be declared as excess teacher (above than standard fixed by Government in respect of ratio of teachers and students – considering the strength of the student at Primary School, Bangarh,) whereas

in Primary School, Shivrajpur, Jaspur, there is shortage of teachers i.e. less than the Standard fixed by the Government.

In this regard, petitioner has already moved representation dated 12.07.2007 before Additional District Education Officer (Basic), Rudrapur, Udham Singh Nagar (Annexure no. 8 to the writ petition) and the same is still pending.

In these circumstances, I deem it fit and proper to direct Additional District Education Officer (Basic), Rudrapur, Udham Singh Nagar to take decision on the aforesaid representation of the petitioner within a period of four weeks from the date of production of certified copy of this order.

With this direction, writ petition as well as interim relief application is disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 19, 2007
SKS